

CHAPTER 6
PUBLIC COMMUNICATIONS AND RECORDS

205—6.1(22) General. The public may obtain information or make submissions to the board through the business office.

205—6.2(22) Communications from persons other than victims.

6.2(1) *Written communication preferred.* The board requests that all communications by a person other than a victim, as defined in rule 205—7.1(910A), concerning an inmate, parolee, or work releasee be in writing so that the communication may readily be made a permanent part of the case file. Oral communications concerning an inmate, parolee, or work releasee by a person other than a victim will be heard only with the consent of the board.

6.2(2) *Disclosure to inmate.* The board shall place a written communication concerning an inmate, parolee, or work releasee in the case file. The board shall inform an inmate, parolee, or work releasee when a communication adverse to the inmate, parolee, or work releasee will be considered in making a parole or work release decision and shall disclose to the inmate, parolee, or work releasee the substance of any opinion regarding their status unless withholding the information is requested by the person providing the statement or oral communication and the board determines that the release of the information would endanger the public's safety.

205—6.3(22) Examination of board records.

6.3(1) *General.* The public may examine and copy board public records pursuant to Iowa Code chapter 22 at the board's business office. An individual wishing to examine or copy a record must schedule an appointment with the board's business office a minimum of three working days prior to the date on which the individual will review the information in question. When making the appointment, the requesting party shall specifically indicate the information desired. Complete inmate files will not be released except by court order. When photocopies of documents or copies of audiotapes or videotapes are provided, the board may require the requester to pay the cost of the copies plus a reasonable charge for copying. These charges are to be determined by the lawful custodian. The board may refer anyone requesting information which has been generated by a source outside the board to the agency or individual that generated the information.

6.3(2) *Lawful custodian.* The board shall designate the chairperson or the chairperson's designee as the lawful custodian of the records who shall be responsible for implementing the board's rules regarding disclosure of public records, coordination of staff in this regard and generally ensuring compliance by the staff with public records disclosure requirements.

205—6.4(904) Disclosure of information regarding inmates and parolees.

6.4(1) *Public information.* The following information regarding individuals receiving services from the department of corrections or a district department is public information and may be disclosed by the board to anyone who requests the information, except that information shall be limited to the offense for which an individual was last convicted:

- a. Name.
- b. Age and date of birth.
- c. Sex.
- d. Status (inmate, parolee, or probationer).
- e. Location, except home street address.
- f. Duration of supervision.
- g. Offense or offenses for which the individual was placed under supervision.
- h. County of commitment.
- i. Arrest and detention orders.

- j. Physical description.
- k. Type of services received, except medical, psychiatric, psychological, substance abuse, gambling and sex offender treatment information.
- l. Disciplinary reports and decisions which have been referred to the county attorney or prosecutor for prosecution, and the following information of all other disciplinary reports:
 - (1) The name of the subject of the investigation.
 - (2) The alleged infraction involved.
 - (3) The finding of fact and the penalty, if any, imposed as a result of the infraction.
- m. Inmate risk assessment score.

6.4(2) *Confidential information regarding inmates and parolees.* The following information regarding individuals receiving services from the department of corrections or a district department is confidential information and shall not be disclosed to the public:

- a. Home street address of the individual receiving services or that individual's family.
- b. Department evaluations.
- c. Medical, psychiatric, psychological, substance abuse treatment, gambling and sex offender treatment information.
- d. Names of associates or accomplices.
- e. Name of employer.
- f. Social security number.
- g. Prior criminal history including information on offenses where no conviction occurred.
- h. Family and personal history.
- i. Financial information.
- j. Information from disciplinary reports and investigations other than identified in subrule 6.4(1).
- k. Investigations by the department of corrections or other agencies which are contained in the individual's file.
- l. Department of corrections committee records containing confidential information.
- m. Pre-sentence investigations as provided under Iowa Code chapter 901.
- n. Pretrial information that is not otherwise available in public court records or proceedings.
- o. Correspondence directed to the board or the department of corrections from an individual's family, victims, or employers of a personal or confidential nature as determined by the board or the department.
- p. Communications to the board by members of the public other than public officials to the extent that the board believes that those members of the public would be discouraged from making the communications if the communications were available for general public examination.
- q. Victim registrations pursuant to 205—Chapter 7. A record containing information which is both public and confidential which is reasonably segregable shall not be confidential after deletion of the confidential information.

6.4(3) *The board may disclose confidential information described in subrule 6.4(2) as follows:*

- a. The board may release statistical information which does not identify particular individuals.
- b. The board may disclose information to the department of corrections; district departments; public officials for use in connection with their duties relating to law enforcement, audits, and other purposes directly connected with the administration of their programs; and public and private agencies providing services to individuals. Those receiving information shall be subject to the same standards as the board in dissemination and redissemination of information.
- c. The board may disclose information when necessary for civil or criminal court proceedings pursuant to court order. The court may seek to have the court limit disclosure of confidential information.

d. The board shall give a supervised individual or former supervised individual access to the individual's own records in the custody of the board except for those records that could result in physical or psychological harm to the individual or others, and disciplinary reports. Upon written authorization by a supervised individual or former supervised individual, the board may release information to any party included in the written release. This information is restricted to that which the individual can obtain.

205—6.5(904A) Inmate requests regarding risk assessment score. An inmate may request information regarding the inmate's risk assessment score from the board of parole. However, because an inmate's risk assessment score will not change unless the inmate is released from and later returned to prison, the board shall not be required to respond to more than one request regarding risk assessment score per commitment to prison from each inmate.

These rules are intended to implement Iowa Code chapter 22 and Iowa Code sections 904.601, 904.602, and 904A.4.

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